

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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POWERMAT TECHNOLOGIES, LTD.,

Plaintiff,

-against-

BELKIN INTERNATIONAL INC.,

Defendant.
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USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 1/2/2020

19-cv-878 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On December 3, 2019, I held a telephone conference on a discovery dispute raised by the parties in a letter motion dated November 22, 2019, (Doc. 65). At that conference, I directed the parties to meet and confer on extending the discovery deadlines and on whether Defendant would produce certain unit sales data. On December 19, 2019, the parties submitted a letter indicating that they had been unable to resolve this issue and making alternate proposals. (Doc. 69.)

In addition, on December 20, 2019, Defendant filed a motion for leave to file an amended answer and counterclaims, supported by a redacted memorandum of law and an exhibit filed under seal. (Docs. 70–72.) Defendant did not seek permission to file redacted and/or sealed materials and did not supply full copies of these documents to me, but did file a full set of these materials under seal with the Sealed Records Department of the Southern District of New York.

Defendant is advised that Rule 5B of my Individual Rules and Practices in Civil Cases requires any party wishing to file a submission in redacted form must publicly file a letter request to do so, and must separately submit a full set of the documents to my chambers,

highlighting the material to be redacted. Once approval is given, the party is then to file the sealed documents with the Sealed Records Department.

On December 23, 2019, Plaintiff filed a letter motion for an extension of time until January 13, 2020, to file its opposition to Defendant's motion. (Doc. 73.) Defendant consents.

Accordingly, it is hereby:

ORDERED that the parties are to adhere to the following discovery schedule:

- All fact discovery shall be completed by April 13, 2020. Belkin shall produce document discovery and testimony concerning its sales data no later than 30 days before the end of the fact discovery deadline, and a witness to testify on the same matters no later than 15 days before the end of the fact-discovery deadline, unless I rule in favor of Defendant on the limitation of liability issue by March 1, 2020.
- Expert disclosures are due by April 20, 2020.
- Expert reports by May 4, 2020.
- Rebuttal expert reports are due by June 5, 2020.
- Expert depositions are due by June 22, 2020.
- Any motions on the adequacy of expert discovery are due by July 7, 2020.
- The post-discovery conference will be held on July 24, 2020, at 11 a.m.

IT IS FURTHER ORDERED that by January 10, 2020, Defendant is directed to submit unredacted text-searchable versions of its materials in support of its motion to amend its answer and counterclaims, with redacted content highlighted, by e-mail to BroderickNYSDChambers@nysd.uscourts.gov. At such time as Defendant files a reply in further support of its motion, it shall supply two courtesy copies of the entire set of motion


papers, with redacted content highlighted, in accordance with Rule 4E of my Individual Rules and Practices in Civil Cases.

IT IS FURTHER ORDERED that Plaintiff's request for an extension of time until January 13, 2020 to file its opposition to Defendant's motion is GRANTED.

The Clerk of Court is respectfully directed to terminate the gavels at Documents 65, 69, and 73.

SO ORDERED.

Dated: January 2, 2020
New York, New York


Vernon S. Broderick
United States District Judge